

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2013 SEP -9 PM 1:30

CLEARANCE
AT BALTIMORE

BY:

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

RENEE L. MCCRAY

}

Plaintiff,

}

vs.

}

Civil Action No.: GLR-13-CV-1518

FEDERAL HOME LOAN
MORTGAGE CORPORATION, et al.

}

}

Defendants

}

}

**PLAINTIFF'S MOTION FOR LEAVE TO FILE
SUR-REPLY TO SAMUEL I. WHITE, P.C. AND SUBSTITUTE
TRUSTEES MOTION TO DISMISS AND FOR SUMMARY JUDGMENT**

TO THE HONORABLE JUDGE OF THIS COURT:

COME NOW Plaintiff, Renee L. McCray, who respectfully request leave of the Court to file the attached Surreply addressing Defendants' motion to dismiss and summary judgment in order to correct several misstatements and distortions of the factual record. The Court should grant the Plaintiff's motion in order to allow the Plaintiff to address and correct these misstatements.

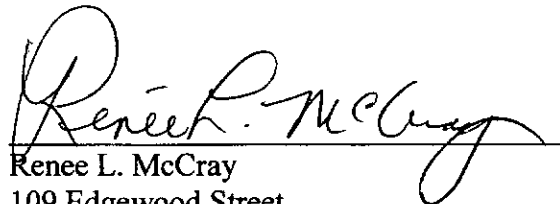
The decision to grant or deny leave to file a surreply is committed to the sound discretion of the court. *American Forest & Paper Ass'n, Inc., v. U.S. Environ. Protection Agency*, No. 93-cv-0694 (RMU)), 1996 WL 509601, *3 (D.D.C. 1996)(granting leave). Granting leave to file a surreply is appropriate when a reply leaves "a party ... 'unable to contest matters presented to the court for the first time.'" *Ben-Kotel v. Howard Univ.*, 319 F.3d 532, 536 (D.C. Cir. 2003) (citation omitted); *Alexander v. FBI*, 186 F.R.D. 71, 74 (D.D.C. 1998) (granting leave). A surreply may be necessary

whether the new matter is factual or raises new legal arguments. It is particularly appropriate in order to address and correct inaccuracies in a reply memorandum. *See American Forest & Paper*, 1996 WL 506601 at *3.

WHEREFORE, Plaintiff respectfully request this Honorable Court enter an order granting leave to file the Plaintiff's surreply annexed to this motion where the facts brought forth therein are material to the issues before this Court.

Dated: September 9, 2013

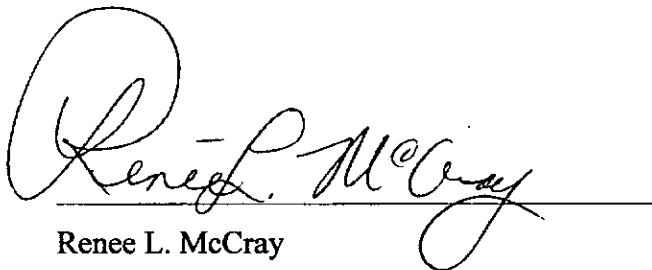
Respectfully Submitted,



Renee L. McCray
109 Edgewood Street
Baltimore, MD 21229
(410) 945-2424
rlmccray@yahoo.com

Certificate of Conference

As required by LR 7.1(a) I certify that I have conferred, or made a reasonable attempt to confer, with all other parties which are listed below about the merits of this Motion with the following results:



Renee L. McCray

Defendants Counsel:

Robert H. Hillman
Daniel J. Pesachowitz
611 Rockville Pike
Suite 100
Rockville, MD 20852

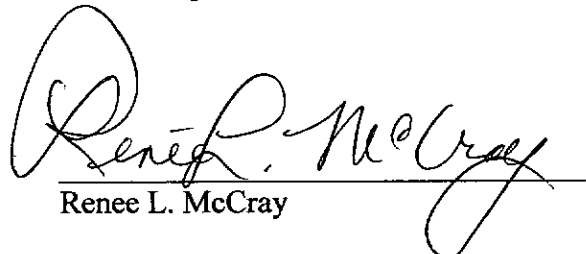
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been sent to the parties listed below by USPS First Class Mail (see attached USPS receipt).

Defendants Counsel:

Robert H. Hillman
Daniel J. Pesachowitz
611 Rockville Pike
Suite 100
Rockville, MD 20852

Dated: September 9, 2013


Renee L. McCray

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